

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Tomoharu TANAKA et al.**

Serial No.: 10/823,568

Filed: March 14, 2004

For: NONVOLATILE SEMICONDUCTOR  
MEMORY DEVICE AND NONVOLATILE  
SEMICONDUCTOR MEMORY SYSTEM

Atty. Docket No.: 001701.00205

Group Art Unit: 2811

Examiner: Owens, D.

Confirmation No.: 4830

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**  
**including**  
**STATEMENT UNDER 37 C.F.R. § 1.704(d)**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In accordance with Applicants' duty of disclosure, the following information is submitted for consideration by the United States Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached PTO/SB/08A form.

In accordance with the rules of practice under 37 C.F.R. § 1.98, Applicants are only providing photocopies of non-US patent and literature documents.

The undersigned certifies under 37 C.F.R. § 1.704(d) that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement.

The undersigned certifies under 37 C.F.R. § 1.97(e)(1) that each reference cited herein was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Also enclosed is a copy of the Japanese office action, including English translation, for a corresponding foreign application indicating the relevance of the references cited therein.

Applicants do not waive any right to take appropriate action to establish patentability over the listed documents should they be applied as references against the claims of the present application.

It is respectfully requested that the Examiner fully consider each of the documents, initial the attached PTO/SB/08A form in the appropriate place to indicate that the document has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

Applicants believe that no fee is necessary pursuant to 37 C.F.R. § 1.97(c). However, if a fee is due, the Office is authorized to charge Deposit Account No. 19-0733.

Respectfully submitted,

/Gary D. Fedorochko/  
Gary D. Fedorochko  
Reg. No. 35,509

Date: June 22, 2006

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D. C. 20001-4597  
(202) 824-3000

GDF:lab